

Jun 21, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

FELIX RUBEN RODRIGUEZ,

Defendant.

No. 2:11-CR-0107-WFN-11

ORDER DENYING  
REDUCTION OF  
SENTENCE

Pending before the Court is the Defendant's Motion to Reduce Sentence. ECF No. 1671. Defendant asks that the Court resentence based on Amendment 782 and 18 U.S.C § 3582(c). However, Defendant cannot meet the standards in the statute. Resentencing pursuant to § 3582(c)(2) (authorizing resentencing due to a subsequent lowering of the sentencing range) does not apply to this case. The basis for Defendant's Motion does not depend on a change in the Guidelines, but rather on dismissal of an old conviction post-sentencing. The Defendant fails to cite to authority that allows resentencing in the circumstances presented in this case. The Court has reviewed the file and Motion and is fully informed. Accordingly,

**IT IS ORDERED** that Defendant's Motion to Reduce Sentence, filed June 28, 2018, **ECF No. 1671**, is **DENIED**.

The District Court Executive is directed to file this Order and provide copies to counsel.

**DATED** this 21st day of June, 2018.

s/ Wm. Fremming Nielsen

WM. FREMMING NIELSEN  
SENIOR UNITED STATES DISTRICT JUDGE

06-21-18

ORDER